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TRANSLATION OF AN IMPERIAL BERÂT

ISSUED BY

S U L T Â N S E L I M I I I .

A. H. 1215,

APPOINTING THE MONK HOHANNES PATRIARCH OF ALL THE ARMENIANS OF TURKEY,

WITH NOTES.

BY

REV. H. G. O. DWIGHT,

MISSIONARY OF THE AMERICAN BOARD IN TURKEY.

TRANSLATION OF AN IMPERIAL BERÂT

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S U L T Â N S E L I M III.

THE Armenian subjects (of the Porte) dwelling in Constantinople and the neighboring cities, including the Vartabeds, the Priests, the President of the Council called Alty Jemâ'at, and the chiefs of the various trading corporations, in a petition presented to my Majesty, have made known that, in consequence of the monk Daniel, Patriarch of Constantinople, having been chosen Katholikos of Echmiadzin, the monk David was elected Patriarch of Constantinople. But, dissensions having sprung up among the Armenians, because the greater part of the community do not wish the monk David, and, on this account, neither the monk David, nor a certain other monk desired by some, being suitable persons for the patriarchal office in our Metropolis; therefore, it became necessary, according to ancient rule, to make choice of another person. Wherefore, by my high ferman, I gave orders that, excepting the monk David, and the other monk desired by certain pious persons, a worthy and suitable individual should be chosen, by unanimous consent, according to their custom.

Agreeably to my order, they all, having assembled together, made choice of the beloved of Christians, the monk Hohannes, the Vicar of the former Patriarch,—whose end be peace!—on account of his being praise worthy, and of good character. This monk Hohannes,—whose end be peace!—having been chosen by them, the same who has now the imperial berât in his hands, and being appointed over them, they besought,

as a favor, the high imperial berât, according to ancient rule. Wherefore, the records kept in the royal treasury being examined with regard to the present paid by Bishops, and the sum of one hundred thousand aspers⁽¹⁾ having been paid as a gift to the royal treasury for the Armenian patriarchate of Constantinople and the parts of European and Asiatic Turkey, and a yearly present of one hundred and forty thousand aspers having been paid, I issued my high command, by this written berât, that this said monk Hohannes,—whose end be peace!—should be substituted in the place of the aforesaid monk Daniel; and I ordered that this imperial berât be given to him according to rule. And when the customary present of eight hundred and thirty aspers was given, for receiving a copy of this instrument, on the second day of Muharram in the year of the Hegira 1215, I issued this imperial berât, and commanded that this monk Hohannes,—whose end be peace!—should have the appointment of all Priests and Bishops in Constantinople and the parts of European and Asiatic Turkey; and, he being Patriarch, according to their ancient customs and canons, and the demands of their religion, that all Bishops and Priests, throughout the bounds of his jurisdiction, and every man of the (Armenian) community, whether great or small, should recognize him as Patriarch, and obey him in every thing which concerns his spiritual authority, and should not depart from his righteous decisions.

Throughout the bounds of his jurisdiction, no one shall interfere in such spiritual matters as the appointing or removing of Bishops, Vartabeds and Priests. Without his seal, no bishopric can be bestowed upon any one, through petitions presented to judges, and by their decisions alone.

Every thing pertaining to church property shall be in the hands of the Patriarch; and no civil officer shall interfere with the property of deceased Priests, Vartabeds, Bishops, or nuns, in possession of the Patriarch, or his agents. It is permitted, as of old, by the decision of the holy fetwa,* as well as by my imperial orders, that all churches, monasteries, and places of pilgrimage, under his jurisdiction, may freely exercise their religious rites; and no civil officer, or other person, shall interpose any hindrance.

* A religious decree.

The common Priests are not to marry any one who, according to their faith, is unsuited for marriage, without permission from the Patriarch.⁽²⁾ And if any woman shall elope from her husband, or if any one wishes to marry, or to divorce, a woman, no person shall interfere in the matter, but the Patriarch.

If any one of the Priests, Vartabeds, or common people of the Armenian nation, dies, and, in accordance with their religion, bequeaths property to the poor of the Church, or to the Patriarch, the testimony of Armenians, (as well as others,) shall be received before the judge.

Whoever of the Priests, or Bishops, is found transgressing against his religion, let the Patriarch punish him according to law ; and let no one interfere when he (the Patriarch) shaves off his beard, and deprives him of his office as Priest, or Vartabed, and places another in his room.

According to all former custom, by this my high berât, let the said monk Hohannes,—whose end be peace !—Patriarch of the Armenians, have control over all vineyards, gardens, farms, pastures, fields, mills, holy fountains, places of pilgrimage, monasteries, houses, shops, fruit-trees and other trees, and all such like church property, which belongs to the churches under his jurisdiction, and let no one else interfere.

Let no Priest, or Vartabed, acting under appointment of the Patriarch, contravene this imperial berât in regard to the exhibition of the accounts of the revenues of any of the churches, or monasteries, which are the perquisites of the Patriarch's office.

Let none of the primates (rich men of the Armenians) presume to dictate that such a priest must be removed from office, or that such an one must be placed in such a church, or that such a man must be married contrary to the rules.

If any persons of the Armenian nation, who have neither church, nor monastery, going about the streets and speaking against the doctrine of my true subjects the Armenians, shall corrupt the common people, let them be seized and punished by the Patriarch, according to our imperial order.⁽³⁾

Whenever the Patriarch goes abroad, let none of the civil officers interfere with his horses, his guard, or his attendants, although they may have changed their dress.⁽⁴⁾

When the productions of the Patriarch's grounds, which are his proper living, as wine, oil, honey, and other such like things, are carried to his house, no one of the imperial tax-gatherers, who are stationed at the harbour, or at the gates of the city, shall interfere against their ancient rights.

If ever it becomes necessary that a Priest, or Vartabed, be seized on the part of justice, it shall be through the Patriarch alone.

No one shall be forced to become a Musulman against his own will.

No one shall, on any pretence, impose himself as an officer upon the said Patriarch, without his consent.⁽⁵⁾

As long as he (the Patriarch) pays the stipulated sum of one hundred and forty thousand aspers into the imperial treasury, he is permitted to rule over his patriarchate, no one being allowed to hinder him.

When the Vartabeds are appointed by the authority of the Patriarch as his messengers, to collect money from the people, none of the civil officers shall meddle with them on their way.

If any one of those who have married contrary to their rules, or who preaches contrary to their system of faith, dies, neither the judges, nor other officers, shall by force compel the Armenians to bury him.

And as long as the said Patriarch shall act in accordance with this my imperial berât, his patriarchal office shall by no means be given to another, and no one shall interfere, and cause disturbance, contrary to my imperial order and the accustomed rules.

And the said Hohannes, Patriarch,—whose end be peace!—being esteemed like his equals,⁽⁶⁾ shall together with his agent at the Porte, and fifteen of his people besides, be exempt from the capitation, and every other tax, though legally due.

The Patriarch alone, and his agents, shall examine and settle the accounts of the Priests and Vartabeds who reside in the churches and monasteries of the Empire.

With regard to the churches and monasteries which belong to the ancient Armenians, no Pasha, Mutsellim, Judge, or other officer, shall have it in his power, by representing the

matter to the Porte, to take them from the proper Armenian subjects, and give them over into the hands of those called Catholics; and the proper Armenian subjects (of the Porte) shall not be molested, whenever it is found necessary, through application to the Patriarch, to punish according to their rules those (of their community) who profess another faith.

Whenever the Armenian community falls under a heavy debt, they (the civil officers) shall not seize the furniture of the village or city monasteries, nor shall they detain it for security; and if, at any time or in any manner, any has thus been taken, let it be restored, in a legal way, to its rightful owner.

Since, according to their ancient custom, divorcing a wife and the multiplying of wives are particularly against their faith, no tolerance is to be shown to offenders in this way, but they are to be punished.

No one is to interfere with the landed property belonging to the Patriarch.

In order that the Vartabeds who are appointed messengers to collect the stipulated imperial taxes, may make their journeys in safety, none of the civil officers in the way are to seize any of the flocks, and herds, which they may have with them.⁽⁷⁾

The royal tax-gatherers, stationed at the gates, and landing places, shall not touch a shred, or scrap, of any of the property belonging to the church, claiming it as a tax.

Law suits of citizens (of Constantinople) shall not be tried in distant places, for I have ordained courts of justice, in and around the Metropolis, that they may be under the inspection of my powerful government.

The Smyrna Patriarch,⁽⁸⁾ like the Patriarch of Constantinople, beside himself and Vicar, shall have fifteen persons exempt from the capitation, and other taxes; and the law shall see to their rights.

No one is to hinder, in any way, the above written orders and conditions; but all, knowing my will to be so, shall give all due honor and respect to my high and imperial signet.

NOTES.

(1.) According to the present rates of exchange at Constantinople, twenty-three and a half piasters of the Grand Seigneur make one Spanish dollar; and since forty paras make one piaster, and three aspers make one para, it follows that 2,820 aspers are required to make one Spanish dollar. The whole amount required to be paid into the royal treasury yearly, by the Patriarch, would at this rate be only about \$35. But originally the exchange was quite different. The time was when the Turkish piaster was equal in value to about one Spanish dollar, so that the annual tribute of the Patriarch was about \$833.

(2.) The Armenian rules with regard to marriage are such, that even very distant relatives cannot legally marry; and the law allows of divorce in no case whatever, not even for adultery. These rules, however, are easily set aside, when a sufficient amount of money is paid to the ecclesiastics.

It is worthy of remark that it is here clearly implied, that the Patriarch has power to authorize the marriage of those who "according to their faith" are "unsuited for marriage." He does it for money.

(3.) The persons, here particularly referred to, are Armenian converts to the Roman Catholic faith, who, at the time this document was written, were not recognized by the Porte, and were often the subjects of bitter persecution. They now form an entirely separate body, having a Patriarch of their own, who derives his appointment from the Porte.

(4.) The out-door dress of the subjects of Turkey was formerly regulated by law, and no Christian was permitted to adopt the dress worn by the Turks. This clause in the *berât* gives authority to the Patriarch to dress his attendants in some respects as Turks, whenever he pleases, and no police officer was in that case permitted to molest them.

(5.) The Patriarch is furnished with one or more armed policemen, or *Kavasses*, who always live at the patriarchate, and accompany him when he goes abroad. The meaning of this clause is that no Musulman should force himself upon the Patriarch as his *Kavass*, which was often attempted in

the time of the Janissaries, for the sake of filching money from the Christians.

(6.) The Pashas, or Foreign Ministers, are here referred to, to each of whom are annually sent, by the Porte, a certain number of free kharâj-papers, or exemptions from the capitation-tax, for distribution among those Christian subjects who may be in his employment.

(7.) Vartabeds are often employed in the country to go among their own people and collect taxes, in sheep, cattle, and grain, for the government; and this custom is here referred to.

(8.) This ecclesiastic is a Bishop, and not properly a Patriarch, though Bishops, at the head of important dioceses, are often loosely called Patriarchs by the Turks.

There will probably never be written again such a *berât*, in Turkey. The whole policy of the present Turkish government is to strip the Patriarchs of all civil powers, and of all opportunity to persecute, and to leave them only the right to perform their ecclesiastical functions, among those who choose to live under them, and to look to them for spiritual aid.